

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ohara M. Molinero Case Number: 0980 2:09CR00126-SAB-1

Address of Offender: Wenatchee, Washington 98801

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: October 26, 2010

Original Offense: Cts. 1 and 2: Distribution of 5 Grams or More of Pure (Actual) Methamphetamine, 21 U.S.C. § 841(a)(1)
Ct. 4: Possession with Intent to Distribute 50 Grams or More of a Mixture of Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. § 841(a)(1).

Original Sentence: Prison - 78 months; TSR - 120 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ann Wick Date Supervision Commenced: August 30, 2016

Defense Attorney: TBD Date Supervision Expires: December 2, 2025

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 09/26/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

5 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Ohara M. Molinero is considered to be in violation of his supervised release by failing to call the color line random urine testing program on a daily basis.

On December 4, 2015, this officer met with Ohara M. Molinero and reviewed the conditions of supervision as outlined in the Judgement and Sentence. Mr. Molinero signed, acknowledging the requirements.

On September 13, 2019, this officer directed Ohara M. Molinero to call the random urine testing phone number at The Center for Alcohol and Drug Abuse Treatment on a daily basis. Mr. Molinero failed to call the color line as directed on the following dates: October 7, 8, 9, 10, 11, and 14, 2019.

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On October 11, 2019, during a home visit, Mr. Molinero confirmed with this officer he failed to call the color line at the The Center for Alcohol and Drug Abuse Treatment during the week of October 7, 2019.

- 6 **Special Condition #17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Molinero is considered to be in violation of his supervised release by failing to attend his individual substance abuse counseling session on October 8, 2019, and he failed to attend his group substance abuse group session on October 10, 2019.

On December 4, 2015, this officer met with Ohara M. Molinero and reviewed the conditions of supervision as outlined in the Judgement and Sentence. Mr. Molinero signed, acknowledging the requirements.

On September 13, 2019, Mr. Molinero verbally agreed he would meet with his substance abuse treatment counselor weekly and attend his weekly substance abuse treatment group session at The Center for Alcohol and Drug Abuse Treatment. He failed to attend his individual alcohol and drug treatment counseling session on October 8, 2019, at The Center for Alcohol and Drug Abuse Treatment.

Mr. Molinero failed to attend his alcohol and drug group treatment group session on October 10, 2019, at The Center for Alcohol and Drug Abuse Treatment.

On October 11, 2019, during a home visit Mr. Molinero admitted to this officer he failed to meet with his counselor and missed his group treatment on the noted dates.

- 7 **Special Condition #18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Molinero is considered to be in violation of his supervised release by failing to attend his random urine test on October 10, 2019.

On December 4, 2015, this officer met with Ohara M. Molinero and reviewed the conditions of supervision as outlined in the Judgement and Sentence. Mr. Molinero signed, acknowledging the requirements.

On September 13, 2019, Mr. Molinero verbally agreed he would attend his random urine testing at The Center for Alcohol and Drug Abuse Treatment. Mr. Molinero failed to attend his random urine test at The Center for Alcohol and Drug Abuse Treatment October 10, 2019. During a home visit on October 11, 2019, Mr. Molinero stated to this officer he had forgotten to call the color line and did not provide a sample that day.

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The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 17, 2019

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 17, 2019

Date